

The Insolvency Service

A Hampton Implementation Review Report

July 2009

Insolvency Service

This review is one of a series of reviews of regulatory bodies focusing on the assessment of regulatory performance against the Hampton principles and Macrory characteristics of effective inspection and enforcement. It was carried out by a review team drawn from the Better Regulation Executive, from the Forestry Commission and Natural England, in December 2008.

Further information about the reviews can be found at:

<http://www.berr.gov.uk/whatwedo/bre/inspection-enforcement/implementing-principles/reviewing-regulators/page44054.html>

EXECUTIVE SUMMARY AND CONCLUSIONS

Key findings from the review: The review team found that the Insolvency Service, while broadly compliant with Hampton in some areas, has room for improvement in other key areas in order to demonstrate full compliance.

Key findings were:

- Stakeholders highly value the role played by the Service in relation to Insolvency Practitioner (IP) regulation. In particular, stakeholders praised the close relationship with the Service in policy consultations.
- The Service uses risk assessment to determine periods of re-licensing for directly authorised IPs and is beginning to base the frequency of monitoring visits to Recognised Professional Bodies (RPBs) on risk. However, the existence of risk frameworks and the criteria used to determine periods of re-licensing and frequency of visits are not transparent to stakeholders.
- The Service's dual role as regulator of the RPBs and direct authoriser of individual IPs is a potential barrier to the efficient regulation of the sector.
- Current mechanisms which require the Service to effectively reach agreement with the RPBs on new guidance for IPs can be cumbersome and time consuming.
- The scope of sanctions available to the Insolvency Service to deal with poor performance of IPs which it regulates directly is narrow and inconsistent with the range of sanctions available to the RPBs.
- There is a lack of clarity over the objectives of the Service in relation to IP regulation and the outcomes for which it exists to achieve.

Additionally, the review team questions whether the scope of the review - regulation of insolvency practitioners - fully covers the extent of the Service's business which should follow the principles set out by Sir Philip Hampton in his review of regulation and enforcement in the UK. Regulation of insolvency practitioners is the only function of the Insolvency Service covered by the Regulators' Compliance Code, under the Legislative and Regulatory Reform Act 2006. This reflects the fact that the Insolvency Service's other functions

relate to the conduct of civil or criminal proceedings which are exempt under the Act. However, the Hampton principles are arguably intended to be relevant to all aspects of regulators' business-facing activities which are underpinned by legislation. In this context, the Insolvency Service has an important role to play in relation to the regulation of business. For example, it is responsible for a wide range of guidance to business on insolvency and bankruptcy regulation and the Company Investigations Branch - itself moved into the Service following a Hampton recommendation - has wide powers under the Companies Act in relation to investigating complaints against businesses based on risk assessment and which can ultimately lead to the Service taking legal action to seek the disqualification of individuals as company directors.

Issues for follow-up identified during the review:

The key follow up issues identified during the review are:

- The Service should consider extending its risk assessment approach to monitoring of the IPs it regulates by (a) improving transparency so that it is formally employed when giving feedback to IPs, including on decisions regarding renewal of authorisations; and (b) using the risk assessment information held on the RPBs to determine the frequency of monitoring visits.
- The review team believes there should be clearer and more formal Insolvency Service ownership of IP guidance. In this context, we welcome the work the Service is leading with stakeholders to streamline mechanisms for agreeing Statements of Insolvency Practice (SIPs) and hopes that this will result in future guidance being agreed and issued in a more timely manner.
- The Service should consider how better transparency and consistency could be achieved across the IP industry in relation to enforcement and sanctions, including through a clear enforcement policy for the IPs which it authorises; clear guidance to enforcement staff on how poor performance should be dealt with, including the circumstances where withdrawal of the authorisations to practice of IPs is appropriate; and working with the RPBs and BERR towards greater harmonisation of sanctions, including a wider range of sanctions for the Service.
- The Service noted in its 2008-11 Corporate Plan its intention to review its role as authoriser of individual IPs. The review team agrees on the need to consider whether this remains a necessary function of the Service within the wider context of ensuring the regulatory framework of the sector is fully effective and efficient.

- The Service should consider whether its current objectives and associated performance measures need to be refocused to better reflect the outcomes which the Service exists to achieve in relation to IP regulation and as a means of improving accountability and public confidence. This could include:
 - Collating and publishing information on complaints and any sanctions imposed annually against IPs, in order to demonstrate the Service – and the RPBs – take a robust approach to ensuring only fit and proper IPs work in the profession;
 - Clearer objectives and performance measures related to the role of the Service in supporting economic progress; and
 - Clearer strategic communication to staff at the operational level that the ultimate role of IP regulation is a means to an end (i.e. in order to ensure creditor and debtors are treated appropriately and fairly in the interests of economic progress) and not just an end in itself.

Introductory background information about the regulator such as the rationale for establishing it:

The Insolvency Service works to ensure a transparent means for dealing efficiently and effectively with insolvency and company director misconduct. This review focuses on the Service's role as a regulator of insolvency practitioners (IPs).

IPs are appointed to administer insolvent estates, for example, as trustees in bankruptcy or as liquidators of a company. When a business gets into financial difficulties, an IP may be appointed either by the business itself or by its creditor(s). The role of the IP is to get the company out of trouble and trading again, if possible. If not, the IP is responsible for ensuring that creditors receive as much of a return as possible by selling off either the business itself or some of its assets.

The Insolvency Service has a dual role in this area. On the one hand, it monitors the work of the Recognised Professional Bodies (RPBs) who authorise IPs, based on a Memorandum of Understanding agreed between the Service and the RPBs. On the other, it directly authorises and regulates a small number of IPs, who, under the Insolvency Act 1986 may apply directly to the Secretary of State for authorisation to practice. In general, these are likely to be individuals who are not eligible to apply to an RPB.

The legislation establishing the regulator:

The Insolvency Service operates under a statutory framework – mainly the Insolvency Act 1986 as amended, the Companies Act 1985, the Company Directors Disqualification Act 1986, the Employment Rights Act 1996 and the Companies Act 2006. Regulation of IPs is governed by Part XIII of the 1986 Act.

The regulator's statutory remit or objectives:

The Insolvency Service's statutory remit is:

- to ensure that IPs authorised by the Secretary of State are fit and proper to practice and that they possess the appropriate education and training, including continuous professional development. IPs can be authorised to practice for up to 3 years before they must apply to the Insolvency Service for re-authorisation.
- To ensure that RPBs recognised by the Secretary of State regulate the profession of insolvency practitioners and enforce rules to ensure that their members are fit and proper to act as IPs, and that they meet acceptable requirements as to education, practical training and experience. The period granted for an authorisation is at the discretion of the authorising body.

Only individuals who are authorised by either one of the RPBs or the Insolvency Service can act as IPs under the 1986 Act. The only exception is that IPs who are providing a service as a temporary service provider under the Recognition of Professional Qualifications Directive 2005/36 are able to act as IPs in the UK.

The regulator's budget:

The Insolvency Service had a turnover of £143 million in 2007-08. Most of the cost of IP regulation – around £1 million in 2007-08 – is recovered through the fees charged to RPBs and IPs for authorisations and the registration on Individual Voluntary Agreements (IVAs).

Number of staff (including breakdown of policy and frontline staff):

The Insolvency Service employs around 3,000 staff, approximately 30 of whom are involved with regulating IPs.

The sectors and number of businesses regulated either directly or indirectly:

There are around 1,700 IPs authorised in Great Britain, most of whom are qualified accountants, although a sizeable minority are lawyers. Of the 1,700, only around 1,200 actually take on insolvency work. The vast majority are authorised by the seven RPBs, ie:

- Institute of Chartered Accountants in England and Wales (719 IPs);
- Institute of Chartered Accountants of Scotland (110);
- Institute of Chartered Accountants in Ireland (46);
- Association of Chartered Certified Accountants (183);
- Insolvency Practitioners Association (389);
- Law Society (148);
- Law Society of Scotland (15).

However, around 90 are authorised directly by Secretary of State under the Insolvency Act and regulated directly by the Insolvency Service.

THE HAMPTON VISION

Both the Hampton and Macrory reports are concerned with effective regulation – achieving regulatory outcomes in a way that minimises the burdens imposed on business. Key to this is the notion that regulators should be risk-based and proportionate in their decision-making, transparent and accountable for their actions and should recognise their role in encouraging economic progress.

Any findings relevant to whether the regulator is risk-based:

Risk is a factor governing the Service's monitoring of the IPs which it authorises directly, both in terms of the frequency of inspections and the periods of time for which IPs are re-authorised (e.g. where there are concerns about the performance of an individual a re-authorisation may only be granted for a 6 month period). The Service also has an "audit universe" which includes risk assessment of the performance of the RPBs.

However, the Service's use of risk assessment is not made transparent to those it regulates. In particular, it is not used in feedback to directly authorised IPs, on why they are being re-authorised for a short period of time, where there are concerns about performance.

Furthermore, as far as the RPBs are concerned, risk assessment has not historically been used to govern the frequency of monitoring visits by the Service, which seem to take place on a rota basis every three years. However, going forward, the Service plans to base the frequency of inspections on the risk assessment ratings on the audit universe and the Review Team recognises this as a positive step.

Any findings relevant to whether the regulator is transparent and accountable:

The Service seems to be clear about its statutory accountability to Parliament through the Secretary of State. It appears to have an open and collaborative relationship with its stakeholders, with whom it has frequent meetings through various different fora such as the Joint Insolvency Committee (JIC).

Any findings relative to whether the regulator encourages economic progress:

The review team found that at a strategic level, the Insolvency Service is clear that it has a role to foster economic progress, in terms of ensuring that IPs should ensure fairness for debtor and creditor businesses. Most stakeholders were also clear that economic progress should be a fundamental objective for the Service.

However, the vast majority of staff we spoke to believed the role of the Service to be about ensuring IPs are fit to practice as an end in itself and were reluctant to acknowledge that the Service's role was a wider one, covering both the economic position of IPs and the welfare of the businesses and individuals with whom IPs work.

DESIGN OF REGULATIONS

Hampton Principles

All regulations should be written so that they are easily understood, easily implemented, and easily enforced, and all parties should be consulted when they are being drafted

When new policies are being developed, explicit consideration should be given to how they can be enforced using existing systems and data to minimise the administrative burden imposed.

Key findings on
Design of
Regulations:

- Stakeholder groups valued the fact that they are closely consulted by the Insolvency Service on policy issues. However, Statements of Insolvency Policy (SIPs) are technically drafted by the Association of Business Recovery Professionals (R3) and agreed through the JIC. This seems to be a time consuming and cumbersome process as SIPs are not agreed until the JIC reaches a consensus. Similarly, the Ethical Code which came into effect on 1 January 2009 was drafted by a sub-group of the JIC and was under discussion for 2 years before an agreement was reached. Furthermore, public consultation on SIPs is currently limited and could usefully be expanded, in particular to include creditor and debtor organisations.
- Where the Service leads on a policy issue, it is generally adept at arriving at a proportionate, well-thought out solution, which has support from key stakeholders in the IP industry.
- Where the lead lies elsewhere with another Government department, there have been occasions where – for one reason or another – the Insolvency Service has not been fully engaged, with consequences for its ability to ensure the IP sector is fully factored in to wider policy questions, notably in relation to an EU Directive on mutual recognition of qualifications where the Service was not consulted by the lead Department until the Directive had been agreed and had to be transposed into UK law.

Background information such as the regulator's role in developing regulations:

The Insolvency Service works with the Department of Business, Innovation and Skills (BIS) in drawing up the legislative framework that governs IPs. SIPs are issued to licensed IPs by the Service and the RPBs jointly. Their objective is to maintain standards by setting out required practice and harmonising IPs' approaches to particular aspects of insolvency. Failure to comply with a SIP can lead to disciplinary action.

Review findings:

There are elements of good practice in the Insolvency Service's approach to design of regulations, not least the arrangements used for stakeholder consultation, which generally seem to lead to legislation and guidance over which there is a consensus across the IP industry.

The extent to which the review team believes the regulator is acting in line with the Hampton principles:

However, the arrangements for agreeing SIPs and other guidance documents – drafted by a third party and agreed by a Committee of which the Service is one of eight members – makes it difficult for the Service to demonstrate a leadership role as a regulator.

Furthermore, design of the overall regulatory framework under which IPs operate does not fall entirely within the lead responsibility of the Insolvency Service and based on the evidence presented to the review team, it may be important going forward for the Service to ensure that it has the horizon-scanning ability to spot potentially important issues early on and ensure it is in the loop when the Government's policy position is being agreed.

ADVICE AND GUIDANCE

Hampton principle

Regulators should provide authoritative, accessible advice easily and cheaply

Key findings on Advice and Guidance:

- Insolvency Service advice and guidance on IP regulation is of good quality. It is clear and written in fairly plain English – albeit aimed at IPs rather than businesses and the general public.
- Guidance issued in the form of a SIP should ensure consistency of application across the industry, though, as noted above, this format does have its drawbacks.
- Guidance can be easily located on the Insolvency Service website. However, the website is arguably “functional” in terms of being regarded by the Service as a depository of guidance and other documents, rather than explaining the role of the Service in practical terms for businesses and the public who may want – or need – to find out more about the organisation.
- The quarterly “Dear IP” publication is generally well regarded by stakeholders. It is appropriate that the Insolvency Service has ownership of the material published in this document and the review team rejects the suggestion from some stakeholders that the Service should consult the JIC on its draft contents.

Background information such as the means by which the regulator provides advice and guidance:

The Insolvency Service provides a wide range of guidance documents on its website, which contains a specific section for guidance related to regulation of the insolvency profession. It produces “Dear IP” quarterly, which is an email circular sent to all IPs, regardless of their authorising body, and contains guidance on legislative issues. Guidance is available in a range of formats – hard copy, on-line and, in some cases, audio files such as MP3. The Service also runs telephone and online advice services.

Review findings:

The extent to which the review team believes the regulator is acting in line with the Hampton principle:

The Insolvency Service has a good story to tell in relation to its advice and guidance. This could be developed further by improving the quality of general information about the Service on its website and by considering whether the purpose of “Dear IP” could be expanded to include some of the information currently included in SIPs, for example, information the Service believes needs to be communicated to the industry quickly, but which is being held up by the SIP process.

DATA REQUESTS

Hampton principle

Businesses should not have to give unnecessary information or give the same piece of information twice.

Key findings on Data Requests:

- The Insolvency Service does not ask either the RPBs or the IPs it authorises directly for any information other than what is required by statute. Stakeholder groups do not regard the level of information requests as onerous.
- Forms which need to be completed by IPs authorised directly by the Service, either annual returns or applications for re-authorisation to practice, are not available online, although the Service stated that it was considering setting up an online portal.
- The forms contain guidance on completion, including on what information is necessary in order for IPs to demonstrate continuous professional development.
- Information collected by the Service from the RPBs in their annual returns does not appear to be fully utilised, particularly in relation to determining risk, as indicators to measure performance or to provide more information on individual IPs for prospective “customers”. Stakeholders questioned what some of the information gathered by the Service is used for.

Background information such as the data required by the regulator; the means by which business can return data, etc:

The Insolvency Service makes a number of data requests of the RPBs and the IPs which it authorises directly. RPBs are required to submit data on their licensing activities on an ongoing basis, e.g. new licences issued, revocation of licences, disciplinary action, refusals to issue licences etc, within a specific time period of the events occurring. They are also required to submit an annual return outlining activity such as the number of applications received, number granted, number refused, lapsed licences and on how complaints have been dealt with.

Review findings: The Insolvency Service does not make burdensome requests for information from businesses and the review team would encourage the Service to make data requests even less burdensome by introducing an online portal to permit re-authorisation applications and annual returns to be submitted electronically.

The extent to which the review team believes the regulator is acting in line with the Hampton principle: The Service could also consider making better use of the data it gathers on the IP industry; particularly through publishing data which demonstrates achievements against targets (see also sections below on Sanctions and Outcomes).

INSPECTIONS

Hampton principle

No inspection should take place without a reason.

Key findings on Inspections:

- The Insolvency Service undertakes risk-based inspection of the IPs which it directly authorises, but the process lacks transparency – IPs are not told about their risk rating when being given feedback and, in particular, are not told directly that their risk assessment may influence the period for which the Service will extend their authorisations to practice. The frequency of IP inspections by the Service appears to vary widely, from 6 months, to 6 years
- The Service also undertakes risk assessment – known as its “audit universe” - for RPBs (who are responsible for monitoring the individuals whom they respectively authorise). However, this information is not used to determine the frequency of inspections, which currently take place on a three yearly rota basis.
- RPBs are obliged to inspect the IPs whom they licence. The period between monitoring visits is not expected to significantly exceed three years but may, where satisfactory risk assessment measures are employed, extend to a period not exceeding six years and, under the Memorandum of Understanding, these inspections should be risk based.

Any relevant background information such as the number of inspections and the number of businesses inspected; the regulator’s risk model etc

In the past, RPBs have been inspected once every three years by the Insolvency Service, though going forward, the frequency of inspections will be based on the Service’s audit universe. Inspections are arranged well in advance, therefore the Bodies are able to prepare for them. Reviews are intensive and can involve a large number of people over several days. In turn, the RPBs tend to inspect their own IPs every three years, although they can inspect more frequently if they feel it is necessary.

Examples of good regulatory practice

Although the Insolvency Service directly authorises only a small number of IPs (around 90), its inspection and monitoring regime contains elements of good practice in use of risk assessment. Risk assessments are based on the performance of IPs, a review of case files and the number of complaints received and/or upheld against them. The information gathered is used to determine the period for which IPs will be re-authorised. IPs receive detailed feedback and, where there is room for improvement in performance, the Service will agree an action plan with the individual concerned to enable them to address the problem areas.

The governance arrangements underpinning the monitoring of IPs across the sector is also good practice. The Service has agreed a set of Principles for Monitoring Insolvency Practitioners with the RPBs. This sets out detailed procedures to ensure the conduct and performance of IPs is of a satisfactory standard, including criteria determining the frequency of inspections; a risk based approach; the professional competence of IPs; and reporting arrangements. There are also quarterly meetings between the RPBs to share IP best practice and a "Meeting of Monitors", which is chaired by the Insolvency Service, to facilitate consistency of standards.

Review findings:

The extent to which the review team believes the regulator is acting in line with the Hampton principle:

As noted above, elements of the regime in place to monitor the performance across the IP sector are good practice and are commended by the review team. The review team would encourage the Service to build upon these foundations by increasing the level of transparency of its risk assessment with its directly authorised IPs, in particular by referring to it when giving feedback and using it more effectively to improve performance (e.g. by setting out explicitly how an IP can get to a stage where the periods between inspections and the need to renew his/her authorisation can be extended).

Additionally, some thought could be given to making inspections of the RPBs - and inspections undertaken by them - more obviously risk-based, using the framework already used within the Service, and to basing the frequency of visits on risk assessment - particularly as the audit universe notes variances between the performance of the respective RPBs.

SANCTIONS

Hampton & Macrory principles

The few businesses that persistently break regulations should be identified quickly, and face proportionate and meaningful sanctions.

Regulators should be transparent in the way in which they apply and determine administrative penalties.

Regulators should avoid perverse incentives that might influence the choice of sanctioning response.

Regulators should follow up enforcement actions where appropriate.

- Key findings on Sanctions:
- The sanctions available to the RPBs on the one hand and the Insolvency Service on the other for dealing with IP misconduct are inconsistent. RPBs have a range of sanctions at their disposal, including warnings, fines, suspensions and withdrawal of authorisation. However, the only sanction legally available to the Service is to withdraw an authorisation to practice. Arguably, having only a “nuclear option” at its disposal makes it difficult for the Service to deal effectively with under-performance issues.
 - For example, in the absence of effective sanctions, the review team was told that the Service’s approach to under-performance would be to renew the licences of the IPs concerned for 6 month periods and to monitor performance, based on an agreed Action Plan. It argues that this in itself is a sanction as it means the individuals suffer a financial penalty as each application for renewal costs the IP £2,550 (2007-08 charge). However, the review team is not persuaded that this represents a meaningful sanction, as it is not presented explicitly as a penalty for falling short of the required standards; nor does there appear to be any appeals mechanism if it is being utilised in such a way.
 - The Insolvency Service does not have an enforcement policy. The absence of such a policy arguably explains the uncertainty which the review team found over how instances of poor and under performance by Service directly-authorized IPs should be dealt with. At a strategic level, the Insolvency Service made clear to the Review Team that it would not hesitate to withdraw the authorisation of an IP where appropriate

to deal with poor performance and maintain high standards in the sector. At an operational level, in practice, however, the review team was told that the Insolvency Service would deal with poor performance not by revoking the licence of the individual concerned, but by waiting until the end of his/her authorisation period and failing to grant a renewal. Service officials noted that half a dozen or so IPs were “causing real concern”, although the review team was subsequently advised by the Service that in the past five years there have only been two occasions where only a six month re-authorisation period was granted due to concerns about the ability of an IP to meet the “fit and proper” person criteria. There have been no instances of an IP having his/her licence permanently revoked for many years.

- There is a lack of transparency about both the sanctions available to and used in practice by the RPBs and Insolvency Service respectively. RPBs must include information on disciplinary action taken in their returns to the Service – and in most cases publish this information individually – but the Service, as the overall industry regulator with responsibility for ensuring that fit and proper people work in the industry, does not collate and publish this data.
- Furthermore, greater public awareness of the respective sanctions available might help individuals and businesses when choosing an IP. In particular, some stakeholders might be misled into thinking that an IP authorised directly by the Secretary of State would be a guarantee of a better performing IP, whereas, in practice, the lack of effective sanctions available for those IPs may be considered by some as a factor which would make them want to appoint an RPB-authorized IP instead.

Background information such as a summary of sanctions available to the regulator and any data on sanctions imposed by the regulator:

The only sanction the Service appears to have in relation to the RPBs is the power to remove their status as a licensing body.

Similarly, the only sanction that the Insolvency Service has in relation to regulating its directly authorised IPs is the power to revoke their licence. RPBs have a wider range of sanctions, including restrictions on licences and financial penalties, as well as the power to remove an IP’s licence.

Review findings: The current sanctions regime for the IP industry does not appear to be Hampton compliant. A greater degree of consistency between the RPBs and the Service would help address this. In parallel, the Service would need to affect a step change in the way it considers sanctions in relation to its directly authorised IPs. This would take the form of a more transparent and structured enforcement policy in the public domain which would, among other things, act as a benchmark for the circumstances which represent under and poor performance and the actions the Service will take in each case, including the revocation of an individual's licence where it is appropriate. Furthermore, as the regulator with oversight of the whole sector, the Service could consider whether, in the interests of transparency, and of ensuring public and business confidence that the sector is effectively regulated and contains only fit and proper individuals, it should publish an annual statement, perhaps in its Annual Report, of the enforcement action taken by the RPBs and the Service itself.

The extent to which the review team believes the regulator is acting in line with the Hampton principles and Macrory characteristics:

FOCUS ON OUTCOMES

Hampton principle

Regulators should measure outcomes and not just outputs.

Key findings on Insolvency Service staff are clearly focused on working to ensure that those who work in the IP industry are “fit and proper persons”.

However, the Service does not appear to have either an internal or external performance indicator to measure how effectively it is fulfilling the “fit and proper person” objective.

Stakeholders appeared confused about the objectives and performance indicators for the Service in relation to IP regulation.

At a high strategic level, there was an understanding that the outcome that IP regulation is supposed to achieve relates to economic performance (e.g. through ensuring that IPs are equipped to keep businesses in financial trouble operating and that creditor businesses get paid the money they are owed). This was stated quite clearly by the Service Chief Executive in the Insolvency Service 2007-08 Annual Report. However, at more operational levels in the Service, the overwhelming view was that regulation to ensure that IPs are fit and proper was an end in itself and, in most cases, there was a general lack of acknowledgement that IP regulation might be a means to an end. Most stakeholders, by contrast, were clear that the Service has a role to play in relation to economic progress.

Background information such as the regulator’s key objectives: The Service does not appear to have a publicly-stated objective, or a performance measure, in relation to IP regulation.

The extent to which the review team believes the regulator is acting in line with the Hampton principle:

The clarity at senior level in the organisation that the Service has a role in relation to wider economic outcomes is encouraging. However, it is clear that there is a need for clear communication of this message from the strategic to operational component parts of the organisation. One way of focusing staff more on outcomes could be to initiate a programme of visits to businesses which work with IPs in order to gain an appreciation of the economic impact of their work on the ground.

The Service would also benefit from more transparent, measurable performance indicators in relation to the “fit and proper person” objective. In particular, there is information already available and collected by the Service on disciplinary measures taken by the RPBs and on complaints, which it appears could be easily collated and published by the Service. This would demonstrate both to the industry and a wider business and public audience that the Service is overseeing the effective organisation of the sector.

Appendix 1: Review team membership

Martin Fox is a Major Project Manager (Regulatory Development and Improvement) in Natural England: Government's independent wildlife, farming and landscape adviser. He has previously worked for English Nature and the former Farming and Rural Conservation Agency in a range of roles that focus on regulation, protected areas and ecology.

Ian Brownlee is Head of the Forestry Commission's Plant Health Service Business Unit which is responsible inspecting controlled wood, wood products and bark being imported to Great Britain from abroad to guard against the threat from quarantine pests and diseases.

Steven Murdoch is an Assistant Director in the Better Regulation Executive within the Department for Business, Innovation and Skills. He is currently part of the team responsible for the Hampton Implementation Reviews. He has previously worked on regulatory reform in the European Union, both in the BRE and on secondment to the Government of Slovenia during its EU Presidency in 2008.

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